

AMENDMENT  
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computer readable program code means for identifying at least one object included in said requested data as being associated with a generic object;

computer readable program code means for substituting the generic object in a web browser image for each of said at least one object responsive to said data transfer constraints;

computer readable program code for transferring additional generic objects associated with related images while the web browser image is being displayed; and

computer readable program code for substituting said additional objects for said related object when a related image is displayed.--.

REMARKS

Claims 1 – 5, 7 – 21 and 23 remain in the application. Claims 1 – 5 and 13 – 23 stand rejected. Claim 23 is objected to for formal reasons. Claims 6 – 12 and 22 are objected to for depending from a rejected base claim. Claims 6 and 22 are canceled and rewritten as new claims 24 and 25. Claims 17 – 19 and 23 are amended herein. No new matter is added.

Claims 6 – 12 and 22 are objected to but, the Examiner indicated would be allowable if in independent form. Accordingly, canceled claims 6 and 22 are rewritten as new claims 24 and 25. Therefore, claims 24, 7 – 12 and 25 are allowable. Allowance of claims 24, 7 – 12 and 25 is respectfully solicited.

The Examiner objected to claim 23 and rejected claims 17 and 18 under 35 U.S.C. §112 for containing informalities. The Examiner also rejected claims 19 – 23 under 35 U.S.C. §101. Responsive thereto, claims 17 – 19 and 23 are amended herein. Reconsideration and withdrawal of the objection to claim 23 and, the rejection of claims 17, and 18 under 35 U.S.C. §112 and claims 19 – 21, 23 under 35 U.S.C. §101 is respectfully solicited.

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The Examiner asserts that claims 1 – 5, 13 – 21 and 23 are unpatentable under 35 U.S.C. §103(a) over U.S. Patent No. 5,987,480 to Donohue et al. in view of official notice. The rejection is respectfully traversed.

The Examiner asserts that “Donohue teaches a method of transferring data across a computer network (internet; col 7, lines 25-27),” substantially as claimed. In particular, the Examiner asserts that the Donohue et al. method includes steps of “requesting transfer of data stored (data source 12)...; identifying at least one object (a document) included in said requested data as being associated with a generic object (a document template) and substituting the generic object for each of said at least one object (abstract).” Additionally, since Donohue did not “teach the setting data transfer constraints. Examiner takes Official Notice that setting data transfer constraints is well known in transferring data over network.” Thus, the Examiner concluded that it would have been obvious to one of ordinary skill in the art with “the teaching of Donohue before him at the time the invention was made, to modify the interface method taught by to include the setting data transfer constraints with the motivation being to enable the system to set conditions while transferring data.”

Donohue et al. teaches a “system and method for delivering documents having dynamic content embedded over the worldwide Internet or a local internet or intranet.” *Abstract*, (emphasis added). Further, “(d)ocument templates are created by embedding dynamic tags and flow directives in markup language documents, the dynamic tags and flow directives containing one or more names of content stored in the data source.” *Id.* The Donohue “server computer selects one of the document templates corresponding to the desired document, populates the document template with content stored in the data source based on respective values of content corresponding to names in the dynamic tags and flow directives, and delivers the populated document to the client computer.” *Id.* (emphasis added).

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As recited in claim 1, the present invention is a "method of transferring data across a computer network,... comprising the steps of: setting data transfer constraints; requesting transfer of data stored on a remote computer system;" i.e., the data being transferred is located on the remote (e.g., server) computer. Further "at least one object included in said requested data (is identified) as being associated with a generic object;" not the generic object (document template) containing the specific requested objects. Once the generic objects are identified, they are substituted "for each of said at least one object responsive to said data transfer constraints."

Thus, where Donohue et al. teaches a system where requests for generic documents with specific elements are assembled remotely and then, the requestor receives the fully assembled document; the present invention is a system wherein a specific object (e.g., an image) is requested and, to facilitate delivery, generic objects are substituted for specific object elements (e.g., image features or objects) in the specific object to compress the specific object for quick delivery. *See, e.g.,* claims 2 – 5. Thereafter, a modified image is displayed with the generic objects replacing and representing the specific object elements. Since the generic objects may be located locally, i.e., on the local web browsing computer, image transfer time is dramatically reduced for the modified image over the original.

So, for example, a beach scene with people lying on the sand, children running and playing might be displayed with a generic beach, a generic sky, the same person cloned in multiple locations doing different things. *See, e.g.,* page 9, line 8 – page 10, line 13. None of this is disclosed or suggested by Donohue et al. Neither could the system of Donohue et al. substitute "each stored said generic objects for said corresponding object;" or output "said requested data, said output data selectively including said generic objects or corresponding original objects responsive to said data transfer constraints." *See, claim 14, lines 11 - 16.* At least not without more than is disclosed in Donohue et al. or suggested thereby.

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Even if arguendo, the applicants were to accept the Examiner's assertion that "setting data transfer constraints is well known in transferring data over network" and ignoring the above recited differences; the Examiner has not explained why data transfer constraints would be a concern for Donohue et al., especially given the relatively low volume of data transferred with textual transfers verses image data and other non-textual transfers. Accordingly, it is apparent that the Examiner is using the application in hindsight to suggest "setting data transfer constraints" for the system of Donohue et al. Such a use of the application in "impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art." *MPEP* §2142 (emphasis added).

Therefore, because Donohue et al. does not teach or suggest the present invention, because the suggested modification does not result in the present invention and, because the Examiner is using the application in improper hindsight for the suggestion to modify, the present invention is not unpatentable under 35 U.S.C. §103(a). Reconsideration and withdrawal of the rejection of claims 1 - 5, 13 - 21 and 23 under 35 U.S.C. § 103(a) over the combination of is respectfully solicited.

The applicants thank the Examiner for efforts in examining the application, both past and present. Believing the Application in condition for allowance, both for the amendment to the claims and for the reasons set forth above, the applicants request that the Examiner consider new claims 24 and 25, reconsider and withdraw the objection to claims 7 - 12 and 23, the rejection of claims 19 - 23 under 35 U.S.C. §101, claims 17 and 18 under 35 U.S.C. §112, claims 1 - 5, 13 - 21 and 23 under 35 U.S.C. §103(a) and allow the Application to issue.

The applicants have considered the other references cited but not relied upon and find them to be no more relevant than the references upon which the Examiner relied for the rejection.

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Should the Examiner believe anything further may be required, the Examiner is requested to contact the Applicant's undersigned attorney at the local telephone number listed below for a telephonic or personal interview to discuss any other changes.

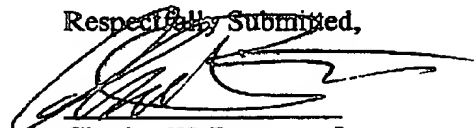
Please charge any deficiencies in fees and credit any overpayment of fees to IBM Corporation Deposit Account No. 50-0510 and advise us accordingly.

Attached hereto is a marked-up version of the changes made to the specification and claims by current amendment. The attached page is captioned "Version with markings to show changes made."

November 12, 2002  
(Date)

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Respectfully Submitted,

  
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please cancel claims 6 and 22 without prejudice and amend the claims as follows:

7. (Amended) A method as in claim 24 [6] wherein a requested object is transferred while a corresponding generic object is being displayed and further comprising:

replacing and displaying each corresponding generic object with each said requested object when said requested object is received.

17. (Amended) A method of compressing digital images, comprising the steps of:

- a) identifying objects in a digital image;
- b) identifying names of identified objects;
- c) identifying a position of identified objects;
- d) identifying a position relative to one of said identified objects in the digital image;
- e) identifying characteristics of the identified objects;
- f) replacing identified objects with generic objects, position data and characteristics to form a modified digital image; and,
- g) sending the modified digital image to a client system for display.

18. (Amended) A method of restoring a compressed image comprising the steps of:

- a) identifying generic objects in received image data;
- b) identifying corresponding objects in subsequently received data;
- c) replacing said identified generic objects in said received image data with said corresponding objects to form an image; and
- d) displaying said image.

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19. (Amended) A computer program product for transferring data across a computer network[, said computer network] including a plurality of computers, a database stored on one of said plurality of computers, said computer program product comprising a computer usable medium having computer readable program code thereon, said computer readable program code comprising:

computer readable program code means for setting data transfer constraints;

computer readable program code means for requesting transfer of data stored on a remote computer system;

computer readable program code means for identifying at least one object included in said requested data as being associated with a generic object; and

computer readable program code means for substituting the generic object for each of said at least one object responsive to said data transfer constraints.

23. (Amended) A computer program product as in claim 20, further comprising:

computer readable program code for transferring requested object while a corresponding generic object is being displayed and when said requested object is received[,] replacing and displaying each corresponding generic object with each said requested object.

Please add the following new claims

--24. A method of transferring data across a computer network, said computer network including a plurality of computers, a database stored on one of said plurality of computers, said method comprising the steps of:

setting data transfer constraints;

requesting transfer of data, including image and sound data, stored on a remote computer system;

identifying at least one object included in said requested data as being associated with a generic object;

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substituting the generic object for each of said at least one object in a web browser image responsive to said data transfer constraints; and,

displaying said web browser image, wherein when related images are displayed, said generic objects associated with said transferred generic object codes are substituted in said displayed related images.

25. A computer program product for transferring data across a computer network including a plurality of computers, a database stored on one of said plurality of computers, said computer program product comprising a computer usable medium having computer readable program code thereon, said computer readable program code comprising:

computer readable program code means for setting data transfer constraints;

computer readable program code means for requesting transfer of data stored on a remote computer system;

computer readable program code means for identifying at least one object included in said requested data as being associated with a generic object;

computer readable program code means for substituting the generic object in a web browser image for each of said at least one object responsive to said data transfer constraints;

computer readable program code for transferring additional generic objects associated with related images while the web browser image is being displayed; and

computer readable program code for substituting said additional objects for said related object when a related image is displayed.--.